

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHUCK JOHNSON,
Plaintiff,

v.

JOSEPH LEHMAN ,
Defendant.

Case No. C04-5877RBL

ORDER TO SHOW CAUSE

This Civil Rights action is before the undersigned Magistrate Judge on consent pursuant to 28 U.S.C. § 636 (c)(1) (C). On May 23rd, 2005 the court entered an order denying plaintiff's motion to have the United States Marshal Service serve this complaint. (Dkt. # 8). That motion was denied as plaintiff is not proceeding *in forma pauperis*. Plaintiff was given 120 days to serve the action. It has been over 120 days since the order was entered and there has been no activity in the case. There is nothing in the file to indicate service has been accomplished.

Plaintiff is hereby **ORDERED TO SHOW CAUSE** why this action should not be dismissed pursuant to Fed. R. Civ P 4(m). Plaintiff has until **November 11th, 2005** to respond.

The Clerk is directed to send a copy of this Order to plaintiff and note the November 11th, 2005 date on the court's calendar.

DATED this 5th day of October, 2005.


Karen L. Strombom
United States Magistrate Judge

ORDER